

January 28, 2021

TO: ECONOMIC MATTERS COMMITTEE
FROM: ASSOCIATED BUILDERS AND CONTRACTORS, MEMBER
RE: H.B. 64 – Labor and Employment - Occupational Safety and Health - Handwashing Facilities on Construction Sites
POSITION: FAVORABLE

Associated Builders and Contractors (ABC) support H.B. 64 which requires employers operating construction sites in the State to provide an adequate handwashing facility on the construction sites; requiring that the handwashing facilities include potable water, be in an accessible location, be adequate for the number of workers, and be maintained in a clean and sanitary condition; requiring the employers to allow workers on the construction sites to have reasonable access to the handwashing facilities during the workday.

While we support the intent of the bill, we feel that the legislation **duplicates** the OSHA standards on handwashing as found in federal regulation 1926.51 - Sanitation, specifically Section (f) which concerns hand washing facilities. The OSHA regulations states that the employer shall provide adequate washing facilities for employees engaged in the application of paints, coating, herbicides, or insecticides, or in other operations where contaminants may be harmful to the employees. Such facilities shall be in near proximity to the worksite and shall be so equipped as to enable employees to remove such substances. **While the language of the existing OSHA standard sounds limiting, the interpretations over the last 30 years indicate that OSHA's intent and the intent of HB 64 are the same.**

As one of the over 1,500 ABC business members in Maryland, we respectfully request a favorable report with two amendments on HB 64. First the elimination of the word "**reasonable**" from paragraph (c)(2) and the addition of paragraph **(d) Use of antiseptic hand cleaner if handwashing facilities are not feasible, such as mobile crews or construction sites where running water or temporary handwashing stations are not readily available.**

Joe Xavier
CEO/Senior Consultant
Summit Sustainability Solutions

Brief Bio:
Former MOSH Compliance Officer/MOSH Training & Education Specialist
Former Director of Safety and Workers Compensation (Baking Industry)
Former Director of Safety/Quality (Construction Services Industry)